



Attorney's Docket No.: 09765-013001

AF  
\$3600  
#9  
8-06-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Jeremy Wertheimer and Carl G. DeMarcken  
Art Unit : 3623  
Examiner : Robinson Boyce, Akiba K  
Serial No. : 09/615,574  
Filed : July 13, 2000  
Title : COMPETITIVE AVAILABILITY TOOLS

**MAIL STOP AF**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RECEIVED  
AUG 04 2003  
GROUP 3600

NOTICE OF APPEAL

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the action dated April 24, 2003, finally rejecting claims 1-20.

A petition for an extension of time under 37 CFR §1.136 to extend the time to respond to the final rejection for 1 month(s) to and including August 24, 2003 is enclosed.

A check in the amount of \$320 for the appeal fee is enclosed. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: 7/30/03

Denis G. Maloney  
Denis G. Maloney  
Reg. No. 29,670

Fish & Richardson P.C.  
225 Franklin Street  
Boston, MA 02110-2804  
Telephone: (617) 542-5070  
Facsimile: (617) 542-8906

20700202.doc

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit July 30, 2003  
Signature Marie Collins  
Typed or Printed Name of Person Signing Certificate Marie Collins

08/04/2003 HBERHE 00000021 09615574

01 FC:1401

320.00 OP